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IN THE

Supreme Court of the United States

CHRISTY BRZONKALA,

Petitioner,

v.

ANTONIO J. MORRISON, *et al.*,

Respondents.

On Writ of Certiorari to the United States Court of Appeals for the Fourth Circuit

BRIEF *AMICI CURIAE* OF NATIONAL NETWORK TO END DOMESTIC VIOLENCE, NATIONAL NETWORK TO END DOMESTIC VIOLENCE FUND, FLORIDA COALITION AGAINST DOMESTIC VIOLENCE, HAWAII STATE COALITION AGAINST DOMESTIC VIOLENCE, IOWA COALITION AGAINST DOMESTIC VIOLENCE, MICHIGAN COALITION AGAINST DOMESTIC AND SEXUAL ASSAULT, NEW HAMPSHIRE COALITION AGAINST DOMESTIC AND SEXUAL VIOLENCE, NEW JERSEY COALITION FOR BATTERED WOMEN, NEW YORK STATE COALITION AGAINST DOMESTIC VIOLENCE, NORTH DAKOTA COUNCIL ON ABUSED WOMEN'S SERVICES, PENNSYLVANIA COALITION AGAINST DOMESTIC VIOLENCE, RHODE ISLAND COALITION AGAINST DOMESTIC VIOLENCE, VERMONT NETWORK AGAINST DOMESTIC VIOLENCE AND SEXUAL ASSAULT, AND VIRGINIANS AGAINST DOMESTIC VIOLENCE, IN SUPPORT OF PETITIONER

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BRIEF *AMICUS CURIAE* OF NATIONAL NETWORK TO END DOMESTIC VIOLENCE, NATIONAL NETWORK TO END DOMESTIC VIOLENCE FUND, *ET AL.* IN SUPPORT OF PETITIONER

INTEREST OF *AMICI CURIAE* *

Amici Curiae National Network to End Domestic Violence, National Network to End Domestic Violence Fund, Florida Coalition Against Domestic Violence, Hawaii State Coalition Against Domestic Violence, Iowa Coalition Against Domestic Violence, Michigan Coalition Against Domestic and Sexual Violence, New Hampshire Coalition Against Domestic and Sexual Violence, New Jersey Coalition for Battered Women, New York State

* Pursuant to Rule 37.6, *Amici Curiae* state that no counsel for any party authored this brief in whole or in part and no person or entity, other than the *Amici Curiae*, its members, or its counsel, made a monetary contribution to the preparation or submission of this brief.

All parties have consented to the filing of this brief and their letters of consent have been filed with the Clerk of the Court.

Coalition Against Domestic Violence, North Dakota Council on Abused Women's Services, Pennsylvania Coalition Against Domestic Violence, Rhode Island Coalition Against Domestic Violence, Vermont Network Against Domestic Violence and Sexual Assault, and Virginians Against Domestic Violence (*"amici"*) submit this brief in support of Petitioner. The interest of *amici* are described in the Appendix to this brief.

SUMMARY OF ARGUMENT

Domestic violence is a national crisis. For millions of women, some of whose stories are noted herein, violent physical abuse and mental and emotional trauma are part of everyday life. Prior to the enactment of the Violence Against Women Act ("VAWA"), such abuse was compounded by a lack of response from historically inadequate state civil and criminal legal systems. Congress responded by enacting the VAWA to offer a comprehensive response for the victims of domestic violence. With the passage of the VAWA, Congress provided a civil rights cause of action to enable the victims of gender-motivated crimes like domestic violence to remedy past injuries and to hold the perpetrators of gender-motivated crimes accountable for their actions.

After conducting four years of hearings and amassing a voluminous legislative record, Congress appropriately determined that gender-motivated violence substantially affects interstate commerce. Moreover, Congress recognized that bias and discrimination in the states' civil and criminal justice systems often deprive victims of crimes of violence motivated by gender of equal protection of the laws and the redress to which they are entitled. For these reasons, the VAWA is plainly constitutional under the Commerce Clause and section 5 of the 14th Amendment, and the opinion of the *en banc* Fourth Circuit Court of Appeals should be REVERSED.

ARGUMENT

THE EXPERIENCES OF WOMEN CLEARLY DEMONSTRATE THAT, PRIOR TO VAWA, REMEDIES WERE SORELY INADEQUATE TO ADDRESS THE NEEDS OF VICTIMS OF DOMESTIC VIOLENCE.

> [M]y husband stabbed me 13 times and broke my neck while the polic were on the scene. I nearly died and I am permanently paralyzed, and physically and mentally scarred for life. . . . When the police did arrive and get the knife from him, they turned their backs on him and he was able to further do more damage by coming over to me and breaking my neck, stepping on my head and breaking my neck. I lost all feeling. He ran upstairs and grabbed our little boy and carried him downstairs and said, "I killed your f—ing mother." [1]

Tracey Motuzick's words vividly illustrate the problem Congress sought to remedy by creating a civil rights remedy for victims of violent crime motivated by gender. Hers is a story shared by many battered women. Indeed, during the four years of hearings prior to passage of the Violence Against Women Act ("VAWA"),[2] Congress heard from many of these women, who documented the impact of gender-based violence on their lives and the nation. Moreover, women also explained to Congress how their treatment by the existing legal system—both civil and criminal—had exacerbated the abuse they experienced. The stories of these women, and others cited in this brief, clearly illustrate the rationale behind Congress's decision

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1 *Women and Violence Hearings before the Senate Comm. on the Judiciary*, 101st Cong., Part 2, 99 (1990) (statement of Tracey Motuzick).

2 Pub. L. No. 103-322, Title IV, 108 Stat. 1992 (codified as amended in scattered sections of Titles 8, 18, and 42 U.S.C.).

to enact a Federal civil rights remedy for gender-motivated violence.[3]

A. Domestic Violence Devastates The Lives of Millions Of Women and Substantially Affects Interstate Commerce.

As the Congressional Record of the hearings preceding the passage of the VAWA attests, violence against women is an enormous problem throughout the United States.[4] A recent study reports that 5.9 million assaults are perpetrated against women annually.[5] During 1992-1993, women were six times more likely to experience violence by an intimate partner than men.[6] Estimates of the number of women severely injured each year by their partners

[3] Passage of the civil rights remedy, Senator Biden stated, was an effort to "change the Nation's attitude" and "heighten public awareness" about "violence that is directed against women for the sole reason that they are women," just as public sentiment was changed by reduction in drunk driving levels and creation of a civil rights remedy for victims of racially motivated violence. *Women and Violence: Hearings before the Senate Comm. on the Judiciary*, 101st Cong., Part 1, 2-3 (1990) (statement of Senator Biden).

[4] This brief focuses on violence against women because the victims of domestic violence and sexual assault are nearly always women. The United States Department of Justice estimates that 95% of reported assaults on spouses or ex-spouses are committed by men against women. *See* H. Douglas, *Assessing Violent Couples*, 72(9) Families in Society 525-536 (1991).

[5] Patricia Tjaden and Nancy Thoennes, National Institute of Justice, *Prevalence, Incidence and Consequences of Violence Against Women* 5 (1998). Indeed, evidence prior to passage of the civil rights remedy demonstrated that violence against women was increasing. In 1991 the Senate Committee on the Judiciary reported: "[s]ince 1974, assaults against young women have risen by an astounding 50 percent, while assaults against young men have dropped by 12 percent." *Violence Against Women: Victims of the System: Hearing before the Senate Comm. on the Judiciary*, 102nd Cong., 258 (1991) (statement of Leslie R. Wolfe).

[6] United States Department of Justice, *Bureau of Justice Statistics Special Report: Violence Against Women: Estimates from the Redesigned Survey* 1 (1995).

range from at least two million to four million and higher,[7] and seventy percent of intimate homicide victims are female.[8] Indeed, domestic violence is the single leading cause of injury to U.S. women, accounting for more injuries and deaths than auto accidents, muggings and rapes combined.[9]

Sarah Buel, herself a victim of domestic violence, has documented the types of physical abuse that occurs throughout the country:

> [Battered women] are run over by cars and trucks. They have their teeth knocked out with hammers. They are raped with hot curling irons and large objects. They are stabbed with screw drivers, ice picks, and knives. They are beaten, choked and strangled. They are beaten in public in the streets. They are beaten in the privacy of their own homes, often in front of their children. . . .[10]

[7] S. Rep. No. 101-545, at 36 (1990). Statistical evidence documenting the number and frequency of women who are abused varies annually. In 1994, Congress found that four million women are battered by their partners each year. *See* H.R. Rep. No. 103-711, at 383-384 (1994), *reprinted in* 1994 U.S.C.C.A.N. 1839, 1851-52. That same year, Congress reported that one third of murdered women "die at the hands of a husband or boyfriend." *Domestic Violence: Not Just a Family Matter; hearing before the Subcomm. on Crime and Criminal Justice of the House Comm. on the Judiciary*, 103rd Cong., 2 (1994) (statement of Rep. Charles Schumer).

[8] United States Department of Justice, *Bureau of Justice Statistics Selected Findings: Violence Between Intimates* 2 (1994).

[9] *Violence Against Women: Victims of the System Hearing before the Senate Comm. on the Judiciary*, 102nd Cong., 25 (1991) (statement of Iowa Attorney General Bonnie J. Campbell).

[10] Sarah M. Buel, *The Dynamics of Domestic Violence Cases in the United States: An Overview, in* Defending Women in Criminal Cases § A, at 1 (ABA Section of Criminal Justice and the Division for Professional Education eds., 1993). *See also* Susanne M. Browne, Note, *Due Process and Equal Protection Challenges to the*

Another victim of domestic violence, Charlotte Fedders, described "17 years of black eyes, bruises" and other injuries during a hearing of the Senate Judiciary Committee, testifying that her "first episode was a broken ear drum, one slap to the face and he broke my ear drum." [11]

Physical injuries such as shattered bones, scratches, bruises, and burns are only the most visible consequences of domestic abuse. Yet, the emotional and mental harm can be equally severe: battered women fear for their safety, expect violence to recur, lose their self-esteem, and feel out-of-control and trapped.[12] They commonly feel a sense of terror, depression, grief, anger, rage, hatred, and shame. One victim of domestic assault, Georgia Hare, testified how her husband dehumanized her to justify his abuse: "I was frequently told that I 'was just like a dog, too stupid to learn so I had to be beaten.'" [13] Battered women also are known to develop nightmares, sexual dysfunctions, concentration problems, and addictions that are a direct result of experiencing battery.[14] Domestic violence is abuse of the mind and spirit as well as the body.

In addition to the personal toll on individual women, the high incidence and severity of these violent crimes

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Inadequate Response of the Police in Domestic Violence Situations, Cal. L. Rev. 1295 (1995).

11 *Women and Violence: Hearings before the Senate Comm. on the Judiciary*, 101st Cong., 104 (1990) (statement of Charlotte Fedders).

12 Mary Ann Dutton, *Understanding Women's Responses to Domestic Violence: A Redeficition of Battered Woman Syndrome*, 21 Hofstra L. Rev. 1191 (1993) (citations omitted).

13 *Violent Crimes Against Women: Hearing before the Senate Comm. on the Judiciary*, 103rd Cong., 17 (1993) (statement of Georgia Hare).

14 Dutton, *supra* note 12, at 1221-1222.

carries high costs for the nation and therefore substantially affects interstate commerce. Indeed, battering has been cited as the most frequent reason why women are treated in emergency rooms,[15] with medical costs for victims of domestic violence reportedly reaching over $100 million annually.[16] Employee absenteeism and sick days were reported to cost employers between three and five billion dollars every year.[17] As one victim of domestic violence stated,

> I missed a lot of time from work. I was late. I called in sick a lot. When I was at work it was hard to concentrate. How can you concentrate on your job when you know you're going to get beaten when you get home.[18]

The total cost of domestic violence to the American economy may be between five and ten billion dollars annually.[19]

As these statistics demonstrate, and as Congress properly recognized, domestic violence is a national tragedy that substantially affects the national economy.[20] Domestic

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15 Howard Holtz & Kathleen Furniss, *The Health Care Providers Role in Domestic Violence*, 8 Trends in Health Care, Law & Ethics 47 (Spring 1993).

16 *Women and Violence: Hearings before the Senate Comm. on the Judiciary*, 101st Cong., 58 (1990) (statement of Helen Neuborne).

17 *Id.*

18 Francine Knowles, *Employers Are Learning Cost of Domestic Violence*, The Chicago Sun Times, Sept. 30, 1996.

19 Harris Meyer, *The Billion-Dollar Epidemic*, Am. Med. News, Jan. 6, 1992, at 7 (including costs attributed to health care, investigative and protective services, the criminal justice system, police forces, and lost worker productivity).

20 Four years of hearings and the voluminous legislative record demonstrate that each of Congress's findings as to the substantial, deleterious impact of gender-based violence on interstate commerce

violence results in physical and psychological injury to millions of women in this country every year. The insidious impact of the violence ripples through families, communities and even generations. It is indisputable that for both victims and society, domestic violence levies an enormous physical, mental and economic toll.

B. The Civil Rights Remedy Provided by the VAWA Offers a Means to Address Past Injuries, While at the Same Time Making the Perpetrators of Gender-Motivated Crime Accountable for Their Actions.

Armed with this knowledge, Congress created a federal civil rights cause of action for individuals who are victims of crimes of violence motivated by gender. *See* 42 U.S.C. § 13981 (the "civil rights remedy"). This step was taken based on findings that existing federal and state laws were inadequate to "protect against the bias element of crimes of violence motivated by gender, which separates these from acts of random violence" and to "provide victims of gender motivated violence the opportunity to vindicate their interests." [21]

To ensure that the federal cause of action would be limited to civil rights violations, as opposed to "random violence," the law defines a "crime of violence motivated by gender" as a crime of violence that is committed "because of gender or on the basis of gender, and due, at least in part, to an animus based on the victim's gender." 42 U.S.C.

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is grounded in abundant evidence. As is set forth in detail in the other briefs on behalf of the petitioner, Congress had a rational basis for concluding that gender-based violence substantially affects interstate commerce and in enacting the VAWA. Thus, Congress had the authority to enact the civil rights remedy of the VAWA pursuant to the Commerce Clause. See U.S. Const. art. I, § 8, cl. 3.

[21] H.R. Conf. Rep. No. 103-711, at 385 (1994) *reprinted in* 1994 U.S.C.C.A.N. 1839, 1853.

§ 13981(d)(1).[22] The definition of "crime of violence" is limited to felony-level acts against a person, or against property when the acts pose "serious risk of physical injury to another." 42 U.S.C. § 13981(d)(2). And the definition explicitly includes those acts that would constitute a felony "but for the relationship between the person who takes such action and the individual against whom such action is taken." 42 U.S.C. § 13981(d)(2). This qualification serves to equalize the treatment of perpetrators of assault, regardless of whether the perpetrator is related to the victim.

By allowing compensatory and punitive damages, injuctive and declaratory relief, and attorney's fees, the civil rights remedy provides a necessary means by which abused women may seek redress. *See* 42 U.S.C. § 13981(c). These comprehensive remedies serve to empower victims of domestic violence—enabling them to reclaim their lives —while at the same time holding perpetrators accountable for their violent actions and sending the perpetrators a strong message that acts of violence can have serious consequences. The availability of injunctive relief is particularly useful because it gives victims the opportunity to pursue contempt proceedings if a batterer continues harassing them after the relief is granted.[23] And declaratory

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[22] In the procedural context in which the instant case is now before the Court, the Court must evaluate the constitutionality of the law as if the facts below present a valid claim and determine if, under any circumstances, a violent crime motivated by gender may be actionable as a Federal civil rights violation Thus, whether or not the Court believes the instant case presents sufficient evidence of gender animus to constitute a "crime of violence motivated by gender" is irrelevant for purposes of the Court's review of the constitutionality of the civil rights remedy. The Court can strike down the law only if it finds that there is no set of facts under which Congress may create a civil rights remedy for crimes of violence motivated by gender.

[23] Daniel G. Atkins, *et al., Striving for Justice with the Violence Against Women Act and Civil Tort Actions*, 14 Wis. Women's Law J. 69, 83 (1999).

relief—a declaration that an abuser committed violent acts motivated by gender—may provide the victim satisfaction and the abuser with some shame and regret.[24]

Moreover, the potential compensatory damages provided by the statute can help a woman to recover financially while she recovers emotionally. Damages awards, however small, may provide the necessary money for women to begin turning their lives around. This is particularly so given that the victim's economic welfare is typically dependent on her batterer:

> [M]any domestic violence victims are economically dependent on the men who abuse them, few victims have the resources necessary to begin a new life for themselves and their children. Batteries commonly isolate battered women from financial resources. For example, many battered women do not have ready access to cash, checking accounts, or charge accounts. One study showed that 27% of battered women had no access to cash, 34% had no access to a checking account, 51% had no access to charge accounts, and 22% had no access to a car.[25]

To date, less than fifty reported decisions have involved claims for civil rights remedies under the VAWA, which include underlying offenses of domestic abuse, rape, assault and battery, sexual assault and sexual harassment.[26] As

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[24] *Id.*

[25] *See* Martha F. Davis & Susan J. Kraham, *Protecting Women's Welfare in the Face of Violence*, 22 Fordham Urb. L. J. 1141, 1150 (1995).

[26] *See Gross v. Weber*, 186 F.3d 1089 (8th Cir. 1999); *McCann v. Rosquist*, 185 F.3d 1113 (10th Cir. 1999); *Brzonkala v. Virginia Polytechnic Inst. and State Univ.*, 169 F.3d 820 (4th Cir. 1999) (en banc), *cert. granted*, 1999 WL 459152 (U.S. Sept. 28, 1999) (No. 99-5); *MacKenzie v. Smith*, 182 F.3d 917, 1999 WL 455377 (6th Cir. 1999) (unpublished table decision); *Henderson v. Heartland Press, Inc.*, No. C97-4086-PAZ, 1999 WL 875744 (N.D. Iowa Oct. 13, 1999); *Santiago v. Alonso*, No. 97-2737 (DRD), 1999 WL 688137 (D.P.R. Aug. 27, 1999); *Williams v. Board of County Commissioners of Wyandotte County*, No. 98-2485-JTM, 1999 WL 690010 (D. Kan. Aug. 24, 1999); *LeBlanc v. Lee*, No. Civ. A. 97-1811, 1999 WL 670976 (E.D. La. Aug. 24, 1999); *Thomasson v. U.S.*, No. 99-3165-JTM, 1999 WL 690098 (D. Kan. Aug. 23, 1999); *Whitaker v. Mercer County*, No. CIV. 97-3813 (GEB), 1999 WL 754119 (D.N.J. Aug. 23, 1999); *Peddle v. Sawyer*, No. 398CV2364 (WWE), 1999 WL 613312 (D. Conn. July 22, 1999); *Dill v. Oslick*, No. CIV. A 97-6753, 1999 WL 508675 (E.D. Pa. July 19, 1999); *Kuhn v. Kuhn*, No. 98 C 2395, 1999 WL 519326 (N.D. Ill. July 15, 1999); *Bergeron v. Bergeron*, 48 F. Supp. 2d 628 (M.D. La. 1999); *Sears v. Lessley*, No. 99-1088-WEB, 1999 WL 641238 (D. Kan. May 20, 1999); *Wright v. Wright*, No. Civ-98-572-A (W.D. Okla. Apr. 27, 1999); *Ericson v. Syracuse Univ.*, 45 F. Supp. 2d 344 (SD.N.Y. 1999); *Culberson v. Doan*, No. C-1-07-965, 1999 WL 765970 (S.D. Ohio Apr. 8, 1999); *Wesley v. Don Stein Buick, Inc.*, 42 F. Supp. 2d 1192 (D. Kan. 1999); *Doe v. Mercer*, 37 F. Supp. 2d 64 (D. Mass. 1999); *Grimm v. Shroyer*, 35 F. Supp. 2d 966 (ED. Ky 1999); *Liu v. Striuli*, 36 F. Supp. 2d 452 (D.R.I. 1999); *Truong v Smith*, 28 F. Supp. 2d 626 (D. Colo. 1998); *Ziegler v. Ziegler*, 28 F. Supp. 2d 601 (D. Wash. 1998); *Comardelle v. Hernandez*, 26 F. Supp. 2d 897 (E.D. La. 1998); *Dolin v. West*, 22 F. Supp. 2d 1343 (M.D. Fla. 1998); *Griffin v. City of Opa-Locka, Fla.*, No. 98-1550-CIV-HIGH-SMITH (S.D. Fla. Aug. 27, 1998); *C.R.K. v. Martin*, No. CI.A. 96-1431MLB, 1998 WL 1100062 (D. Kan. July 10, 1998); *Timm v. DeLong*, No. 8:98CV43, 1998 WL 1100082 (D. Neb. 1998); *Bridges v. City of Dallas*, No. Civ. 3:98-CV-0090-H, 1998 WL 320286 (N.D. Tex. June 8, 1998); *Braden v. Piggly Wiggly*, 4 F. Supp. 2d 1357 (M.D. Ala. 1998); *Palazzolo v. Ruggiano*, 993 F. Supp. 45 (D.R.I. 1998); *Mattison v. Click Corp.*, 72 Empl. Prac. Dec. P. 45, 209, 1998 WL 32597 (E.D. Pa. Jan. 27, 1998); *Crisonino v New York City House. Auth.*, 985 F. Supp. 385 (S.D.N.Y 1997); *Finley v. Higbee Co.*, 1 F. Supp. 2d 701 (N.D. Ohio 1997); *Anisimov v. Lake*, 982 F. Supp. 531 (N.D. Ill. 1997); *Seaton v. Seaton*, 971 F. Supp. 1188 (E.D. Tenn. 1997); *Doe v. Hartz*, 970 F. Supp. 1375 (N.D. Iowa 1997), *rev'd on other grounds*, 134 F.3d 1339 (8th Cir. 1998); *Newton v. Coca-Cola Bottling Co. Consol.*, 958 F. Supp. 248 (W.D.N.C. 1997); *Doe v. Doe*, 929 F. Supp. 608 (D. Conn. 1996); *Young v. Johnson*, No. CV 97-90014 (Ariz Super. Ct. 1999); *Fahey-*

evidenced in these cases, courts have been selective in applying the crime of violence definition to the alleged underlying crimes, thereby dismissing cases in which the plaintiffs fail to demonstrate the requisite gender-based

animus.[27] As a result of judicial selectivity, plaintiffs who were allowed to proceed with their claims under the civil rights remedy of the VAWA bear stories of severe and prolonged abuse in numerous contexts, such as family, work, school, church and community.[28] The depth and severity of abuse that is reflected in these cases is also shown in the number of the VAWA claims that were brought on behalf of domestic violence victims whose lives were ended by their batterers.[29]

In the first case in which a court upheld the civil rights remedy's constitutionality, the plaintiff was a woman who

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Hosey v. Capano, No. 98C-06-299 SCD, 1999 WL 743985 (Del. Aug. 31, 1999); *Manikhi v. Mass Transit Admin.*, 733 A.2d 372 (Md. Ct. Spec. App. 1999); *Fisher v. Grimes*, No. 98 CVD 865 (N.C. Gen. Ct. Justice 1999).

[27] *See Henderson v. Heartland Press, Inc.*, No. C97-4086-PAZ, 1999 WL 875744 (N.D. Iowa Oct. 13, 1999) (finding that plaintiff failed to allege a crime of violence under the statute where she was coerced by a fellow male employee into a car, driven to a deserted spot and kissed against her will); *LeBlanc v. Lee*, No. Civ. A. 97-1811, 1999 WL 670976 (E.D. La. Aug. 24, 1999) (granting defendant's motion to dismiss the VAWA claim where female plaintiff was pushed and knocked unconscious by a man on the street).

[28] *See Williams v. Board of County Commissioners of Wyandotte County*, No. 98-2485-JTM, 1999 WL 690101 (D. Kan. Aug. 24, 1999) (upholding claim under the VAWA civil rights remedy where plaintiff was raped and harassed by an on-duty police officer); *Liu v. Striuli*, 36 F. Supp. 2d 452 (D.R.I. 1999) (upholding the constitutionality of the VAWA civil rights remedy where graduate student was repeatedly harassed, battered and raped by college immigration advisor); *Anisimov v. Lake*, 982 F. Supp. 531 (N.D. Ill. 1997) (finding that employee who was forcibly raped, fondled, assaulted and harassed by employer had stated a sufficient claim under the VAWA); *Doe v. Hartz*, 970 F. Supp. 1375 (N.D. Iowa 1997) (finding that priest's unwelcome touching and sexual advances toward female parishioner constituted a crime of violence under the VAWA).

[29] *See Sears v. Lessley*, No. 99-1088-WEB, 1999 WL 64641238 (D. Kan. May 29, 1999); *Culberson v. Doan*, 1999 WL 765970 (S.D. Ohio April 8, 1999); *Comardelle v. Hernandez*, 26 F. Supp. 2d 897 (E.D. La. 1998).

had been physically and mentally victimized by her husband throughout their seventeen-year marriage. *Doe v. Doe*, 929 F. Supp. 608 (D. Conn. 1996). The plaintiff sought compensatory and punitive damages under the VAWA for the continuous cruelty exerted upon her by her husband through means of physical assault, threats, property destruction and coercion. In the court's order denying defendant's motion to dismiss, the U.S. District Court highlighted the extensive statistical, medical and economic data upon which Congress relied in finding that gender-based violence has a substantial effect on interstate commerce. *Doe*, 929 F. Supp. at 614.[30]

C. By Enacting the VAWA Civil Rights Remedy, Congress Recognized That Existing State Civil Tort Remedies, Local and State Criminal Laws, and State Civil Protection Orders Were Inadequate.

When domestic violence victims muster the strength and courage to confront their batterers, they not only combat abuse by their batterers, but often confront unresponsive or even openly hostile state actors within the legal system. By enacting the civil rights remedy provision in the VAWA, Congress intended to respond to the inadequacies of the justice system to address gender-motivated violence.[31]

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[30] Furthermore, in looking at Jane Doe's case, the court found that the VAWA "does not encroach on traditional areas of state law" but rather "complements them by recognizing a societal interest in ensuring that persons have a civil rights to be free from gender-based violence." *Id.* at 616.

[31] As is discussed in the briefs of the petitioner and other *amici*, Congress had the authority under section 5 of the 14th Amendment to create a Federal civil rights cause of action in the VAWA. See U.S. Const. amend. XIV, § 5. In enacting the VAWA, Congress concluded that such a remedy was necessary given the disparate manner in which the existing law system historically treated victims of violent gender-based crimes. Under the 14th Amendment, there is no clearer case of Congress's power to legislate when States have failed to protect equal rights and when "the criminal justice system

1. *Congress Found State Civil Systems Inadequate To Vindicate Victims' Rights.*

Congress heard throughout its hearing process preceding the enactment of the VAWA about limitations in the state system that made it difficult for women to obtain justice through state civil processes. Congress found state civil assault and battery laws, for example, do not provide a means to protect the civil rights of women who are victims of gender-motivated crime.[32] Congress heard testimony about barriers to filing claims under state tort law—such as interspousal immunity, evidentiary limitations, and statutes of limitations—that make access to existing state civil remedies difficult.[33]

The doctrine of interspousal immunity prohibits spouses from suing each other for injuries in tort. In some states this barrier prevents a woman battered by her husband from suing him to collect damages for her medical expenses, pain, and suffering.[34] Even though the interspousal tort immunity doctrine has been abrogated in most states, its existence until recently has contributed to the societal bias underlying the law's treatment of gender-motivated crimes.

In addition, state evidentiary rules that allow widespread use of the victim's prior sexual practices limit the likelihood that victims will file suit and hold their batterers liable.[35] Faced with the possibility of having their

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is not providing equal protection of the laws of women in the classic sense." S. Rep. No. 103-138, at 55 (1993).

32 S. Rep. No. 101-545, at 42 (1990).

33 *Crimes of Violence Motivated by Gender: Hearing before the Subcomm. on Civil and Constitutional Rights of the Comm. on the Judiciary*, 103rd Cong. 8-9 (statement of Sally Goldfarb).

34 *Id.*

35 Leonard Karp & Sheryl I. Karp, *Domestic Torts Family Violence, Conflict, and Sexual Abuse* 40 (1999).

lives torn further apart by zealous defense advocates, many victims will shrink from pursuing their claims. A claim filed in Federal court under the VAWA, however, will not subject victims to the same invasion of privacy because it is covered by the Federal Rules of Evidence, which, due to revisions of such Rules enacted with the VAWA, preclude the use of women's prior sexual history.[36]

Likewise, state statutes of limitations may preclude a domestic violence victim from filing a tort claim. Unlike a car accident plaintiff or a medical malpractice plaintiff, a domestic violence victim rarely recognizes that her injuries are of the kind for which legal redress is appropriate for months or years after the battering begins because she perceives the violence as isolated, temporary, or, worse, her own fault. Typically, fear of reprisal further delays her ability to seek judicial assistance. When a state statute of limitations begins running from the date of the first attack,[37] battered women frequently find themselves unable to bring tort claims for the years of damages inflicted upon them by their batterers.

Limits on damages under state tort claims may also hinder the chances that batterers will be held accountable to their victims. Damages, such as punitive damages and attorneys' fees, are often prohibited in state tort actions.[38] The prospect of recovering attorneys' fees, with the additional potential for punitive damages, enables women who do not have the means to pursue a state tort remedy to seek redress under the VAWA.[39]

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36 Fed. R. Evid. 412.

37 Atkins *supra* note 23, at 64.

38 Karp & Karp, *supra* note 35, at 40-41.

39 This is particularly so in cases of domestic violence, as the victim's economic welfare is likely to be controlled by the batterer. *See* Atkins, *supra* note 23.

2. *The Civil Rights Remedy Provided by the VAWA Was Necessary to Overcome Inadequate State and Local Criminal Laws.*

In 1990, Ms. Buel appeared before the Senate Committee on the Judiciary and bravely detailed her ordeal living with a battering husband and described her experience with an unresponsive and uncooperative state criminal justice system:

> When I first left, the police would tell me that I should really just make sure I did not make my husband mad, and the judges would tell me that it was my job to keep the family together, and I could not find a prosecutor that would listen to me, because this [her experience] was just a domestic squabble, but that was even years down the line." [40]

Outdated attitudes and inadequate institutional structures have prevented the states' criminal justice systems—including police, prosecutors, and judges—from effectively dealing with the crime of domestic abuse.[41]

a) *The civil actions provided by the VAWA were necessary to overcome the historically ineffective state and local police efforts.*

One victim of domestic violence described one police officer's response to her plight as follows:

> If you ever call the police again, I will see to it that you are arrested and you'll never see those two kids again.[42]

Indeed, as much as one-third of all police calls involve domestic disturbances such as assault and battery, argu-

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[40] *Women and Violence: Hearings before the Senate Comm. on the Judiciary*, 101st Cong., 124 (1990) (statement of Sarah Buel).

[41] *Developments in the Law—Legal Responses to Domestic Violence*, 106 Harv. L. Rev. 1497, 1552 (1993).

[42] *Watson v. City of Kansas City*, 857 F.2d 690, 692 (1988).

ments, physical violence and infliction of injuries between intimate partners.[43] Traditionally, the police often assigned domestic violence calls low priority and have reluctantly responded to abuse calls. Police referred to domestic disturbance calls as simply nuisance calls: repeatedly going "to the same houses for 'lovers quarrels' that required them to play social worker." [44] Historically, police officers were instructed, based on an official nonarrest policy, to "cool down" these "domestic disputes" by "adjustment without arrest." [45] A typical response of police to battering was to tell women, "There's nothing we can do; this is a civil matter," or to make one party leave the home.[46]

Throughout the 1980s, as domestic violence calls increased, police departments established written policies and standards, many police officers received domestic violence training, and the "noncrime" [47] of assault and battery of spouses became officially defined as criminal behavior. Even with the changes, however, intervening

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[43] Loretta J. Stalans, *Family Harmony or Individual Protection? Public Recommendations About How Police Can Handle Domestic Violence Situations*, American Behavioral Scientist, Feb. 1996, 443.

[44] Mildred Daley Pagelow, *Adult Victims of Domestic Violence*, Journal of Interpersonal Violence, March 1992, 87, 92.

[45] *Id.*

[46] Kathleen J. Ferraro, *Cops, Courts, and Women Battering, in Violence Against Women The Bloody Footprints* 165, 166-167 (P.B. Bart & E.G. Moran eds., 1993). The traditional unresponsiveness by police was indeed the context in which Congress enacted the VAWA civil rights remedy.

[47] One common rationalization offered for failing to mobilize the law on behalf of the victims of domestic violence is the value of sanctity of the home and that it is a matter of civil law. Stephen E. Brown, *Police Responses to Wife Beating: Neglect of a Crime of Violence*, Journal of Criminal Justice 277, 279 (1984).

in family disputes is still not regarded as "real police work." [48]

The ambivalence toward domestic abuse and the reluctance of the criminal justice system to interfere in "private matters" still persists today. In a 1995 survey of 123 police agencies nationwide, the study reported that police departments still "tend to regard domestic assault as a private [rather] than a criminal matter." [49] As one woman testified before the Subcommittee on Crime and Criminal Justice of the House Committee on the Judiciary "One time the police were called to our apartment by neighbors. On finding it was a husband-wife thing they told us to keep it down and went on their way." [50] Because the police still regard domestic violence as a private matter, police departments treat domestic cases differently than other cases. As Florida Assistant State Attorney and Domestic Crimes Unit chief, Margaret Rosenbaum, explained to the House Committee on the Judiciary:

> Since many officers consider domestic violence to be a private matter, something other than real crime, the failure to properly investigate the case is tolerated, and in fact, in some departments it is even encouraged.[51]

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48 David A. Ford & Mary J. Regoli, *The Preventive Impacts of Policies for Prosecuting Wife Batterers*, in Eva S. Buzawa & Carl G. Buzawa, *Domestic Violence: The Criminal Justice Response* 29 (1990).

49 Southwestern Law Enforcement Institute, *Domestic Assault Among Police: A Survey of Internal Affairs Policies*, (1995).

50 *Domestic Violence: Not Just a Family Matter: Hearing before the Subcomm. on Crime and Criminal Justice of the House Committee on the Judiciary*, 103rd Cong., 18 (1994) (testimony of Karla M. Digirolamo).

51 *Violence Against Women: Hearing before the House Comm. on the Judiciary*, 102nd Cong., 70 (1992) (testimony of Margaret Rosenbaum).

Consequently, Ms. Rosenbaum testified,

> more often than not . . . [the Domestic Crimes Unit] screens felony cases in which no detective has been assigned, no evidence impounded, no photographs taken, no area canvass done for witnesses who may have seen or heard something, and no statements attempted to be taken from the victim or the offender.[52]

Despite the enactment of the VAWA, arrests are still seen as ineffective, both in the sense that they rarely result in a successful prosecution of the offense and the sense that they do little to influence the behavior of the offender.[53] Today, the criminal justice system still places a greater importance on fostering family harmony over the protection of domestic violence victims. Thus, many domestic disturbance calls are still handled using informal methods such as informal advice or separating the disputants for the night.[54]

Although much progress has been made and standards have been established throughout police departments, many conscientious police officers feel that their efforts in confronting domestic violence and abuse crimes are wasted because even their best cases are rarely prosecuted, and when they are, judges often view them as minor "family squabbles" and fail to impose suitable sentences.[55]

In sum, a phone call to the police still is not an effective remedy to protect the civil rights of women and

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52 *Id.*

53 Jerome McKean & James E. Hendricks, Criminal Justice Planning Agency, *The Role of Crisis Intervention in the Police Response to Domestic Disturbances*, February 1997, 269, 270-271.

54 Stalans, *supra* note 43, at 484.

55 Pagelow, *supra* note 44, at 95.

victims of domestic violence. Victims of domestic violence and gender-motivated violence have explained:

> [t]he police reinforced what, through my husband's psychological abuse, I had come to believe; that my husband had every right to beat me, rape me and hurt our children. No matter what he did, no matter how many times the police were called, it seemed that he had all the rights. . . .[56]

b) ***The civil actions provided by the VAWA were necessary to overcome historically ineffective prosecutorial and judicial efforts.***

> I had a prosecutor who would scream at me and shake his finger in my face. At one time he even touched my nose and told me that if I dropped charges he was going to come after me, and if I didn't show up or if I dropped charges he was going to file charges against me. . . . I was constantly told [by the prosecutor] that 75 percent of you women drop charges. . . . The prosecutor also said that I was just doing this because I was mad at [the perpetrator] and that I was probably talking to him and sleeping with him.[57]

This Congressional testimony by another domestic violence victim, Loretta Baca, is one example of how some prosecutors have misunderstood the victim's perspective in domestic violence cases. The very notion of prosecutorial discretion recognizes the opportunity for a prosecutor's personal biases about domestic violence to affect his or her decision of whether to prosecute. Like

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[56] *Violent Crimes Against Women: Hearing before the House Comm. on the Judiciary*, 102nd Cong. 58 (1992) (testimony of Jane Doe).

[57] *Violent Crimes Against Women: Hearing before the Senate Comm. on the Judiciary*, 103rd Cong. 12 (1993) (testimony of Loretta Baca).

the police, prosecutors may assign domestic abuse cases low priority because domestic violence has not been treated with the same seriousness as stranger assaults.[58] Prosecutors may also refuse to proceed with a case based on a general assumption that abused women will not be willing to testify against their husbands, or that their statements are suspect due to enmity they feel toward their abusers.

Moreover, prosecutors enjoy wide discretion in charging crimes. To the extent a domestic violence incident does in fact result in criminal charges, the batterer will more likely be charged with a lesser offense. Given the patterns associated with domestic violence, a conviction for a misdemeanor domestic violence crime most often belies the frequency and severity of the acts. Even if a perpetrator of more serious acts of domestic violence is charged commensurate with the crime, charges are frequently plead down to misdemeanors.[59]

Too many judges are also willing to dismiss domestic violence. Judges have sometimes refused to intervene, treated the situation lightly, or acted as if the batterer and the victim were equally responsible, thus sending signals of legitimization to the abuser or blame to the victim. As one state court judge concluded about the batterer and victim in a domestic violence dispute:

> Yes, he may have beaten her, but nagging and a sharp tongue can be just as bad. Maybe she used her sharp tongue so often that she provoked him to hit her.[60]

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[58] *Developments in the Law—Legal Responses to Domestic Violence, supra* note 41, at 1555 (spousal abuse complaints are assigned low rank by prosecutors).

[59] Judy Mann, *When an Abuser is Armed*, The Washington Post, May 16, 1997, at E03.

[60] *Developments in the Law—Legal Responses to Domestic Violence, supra* note 41, at 1556.

A state court judges' personal biases about domestic violence may effect his or her ability to proceed fairly in such cases.

Domestic violence or abuse offenses are therefore treated more leniently at all stages of the legal proceedings within the states' criminal justice system. The closer the relationship between the victim and the offender, the less likely the police are to make an arrest, the less likely the prosecutor is to bring formal charges, the less likely a conviction or prison will result, the shorter prison sentences are likely to be, and the less likely a sentence of capital punishment will be handed down.[61]

In sum, inadequate state laws and inadequate enforcement exist throughout the states' criminal justice systems. Victims of domestic violence and gender-motivated violence may have little, if no, control in criminal proceedings.[62] The civil actions provided by the VAWA allow those harmed to control the legal action. Those groups traditionally powerless in the legal and criminal justice system now have at least limited power to control the process and to place themselves, not the state, against their attackers.[63] The VAWA provides victims of domestic violence greater protection and recourse to stop the violence and seek abuser accountability.[64]

3. *The Protections Provided By State Civil Protection Orders Were Inadequate to Protect Battered Women.*

Because traditional civil and criminal remedies alone often are inadequate, protection orders play a vital role

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61 Leonore M.J. Simon, *A Therapeutic Jurisprudence Approach to the Legal Processing of Domestic Violence Cases*, Psychology, Public Policy and Law 43, 63 (1995).

62 *Violence Against Women: Law and Litigation*, § 2:1 (David Frazee et al, eds., 1998).

63 *Id.*

64 *Id.*

in protecting victims of domestic violence.[65] In one study, 80 percent of women with a temporary protection order said the order was somewhat or very helpful in sending the batterer a message that his actions were wrong.[66] Although the entry of a protection order did not appear to deter most types of abuse, it did significantly reduce the likelihood of acts of psychological abuse such as preventing the victim from leaving her home, going to work, using a car or telephone, and stalking and harassing behaviors.[67]

Unfortunately, however, state remedies such as restraining orders still are inadequate to protect the victims of domestic violence and gender-motivated violence. To some abusive men, a restraining order is simply a piece of paper. In one study, nearly half the victims who obtained a protection order were reabused within two years.[68] Of those women who obtained protection orders, sixty percent reported violations within one year with most violations leading to arrest occurring within ninety days of entry of the order. Even after obtaining protection orders, battered women are often subjected to repeated abuse, harassment,

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65 The fifty state legislatures and the District of Columbia have responded to the domestic violence crisis and have enacted civil protection order statutes that afford relief to adult and child victims of domestic violence. See, *e.g.*, Ala. Code § 30-5-1, *et seq.*; Alaska Stat. § 25.35.010, *et seq.*; Ariz. Rev. Stat. Ann. §§ 13-3601, 3602; Ark Stat. Ann. § 9-15-101, *et seq.*; Cal. Civ. Proc. Code § 545, *et seq.*; Colo. Rev. Stat. § 14-4-101, *et seq.* More recently, forty-nine states and the District of Columbia have enacted anti-"stalking" laws, criminalizing harassment that threatens death or serious injury. See, *e.g.*, Ky. Rev. Stat. Ann. § 508.140 (Baldwin 1995); Okla. Stat. Ann. tit 21, § 1173 (West Supp 1995); Tenn. Code Ann. § 39-17-315 (West Supp. 1995).

66 *Do Arrests and Restraining Orders Work?* 218 (Eva S. Buzawa & Carl G. Buzawa eds., 1996).

67 *Id.* at 228-29.

68 *Id.*

threats, and murder by men whom the courts had ordered to stay away. In one study, over sixty percent of women reported acts of abuse after the entry of a protection order, and approximately thirty percent reported acts of severe violence.[69] In a 1995 study, seventeen percent of protection order defendants were arraigned for a violation of the order within one year but only six percent were convicted of violating the order.[70]

CONCLUSION

As the voluminous legislative record attests, and the words of the victims of domestic violence corroborate, Congress rationally concluded that the civil remedy of the VAWA was necessary. As Congress was authorized to enact the VAWA under both the Commerce Clause and the 5th section of the 14th Amendment, the *en banc* Fourth Circuit of Appeals should be REVERSED.

Respectfully submitted,[71]

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[69] *Id.* at 223.

[70] Office of the Commissioner of Probation, Massachusetts Trial Court, *Tragedies of Domestic Violence: A Qualitative Analysis of Civil Restraining Orders in Massachusetts* 15-17 (1995).

[71] Counsel would also like to thank Thomas Lent, Lisa Frye, Dawn Marron, and Roberta Valente for their assistance with this brief.

APPENDIX

APPENDIX

INTEREST OF *AMICI CURIAE*

The following organizations submit this brief as *Amici curiae* in support of Petitioner:

National Network to End Domestic Violence

The *National Network to End Domestic Violence* ("NNEDV") is a not-for-profit organization incorporated in the District of Columbia in 1995. NNEDV is a network of state domestic violence coalitions, representing over 2,000 member programs nationally. NNEDV's mission is to end domestic violence through public policy and education.

National Network to End Domestic Violence Fund

The *National Network to End Domestic Violence Fund* ("NNEDV Fund") is a nonprofit organization founded in 1996 for the purposes of providing technical assistance, training and public education to advocates, professionals and individuals who encounter battered women in their work and communities. The NNEDV Fund has provided advice and expertise on domestic violence issues affecting battered women and their children to judges, attorneys, educators and state and local advocates as well as child support, child welfare, justice system personnel, and others working to end domestic violence.

Floriad Coalition Against Domestic Violence

The *Florida Coalition Against Domestic Violence* ("FCADV") is a private not-for-profit organization incorporated in Florida in 1977. Its mission is to create a violence free world by empowering women and children through the elimination of personal and institutional violence and oppression against all people. The FCADV

works to end domestic violence through public awareness, education, training, and technical assistance to service providers. Our members include Florida's 38 certified domestic violence centers, associations, and individuals.

Hawaii State Coalition Against Domestic Violence

The *Hawaii State Coalition Against Domestic Violence* ("HSCADV"), a private not-for-profit organization, is a statewide coalition of domestic violence programs working collaboratively to affect public policy and establish a coordinated and consistent response to protect the safety and welfare of battered women. Its goals include promotion of public recognition of domestic violence as a pervasive societal problem, detrimental to all members of society, rather than a personal problem and the obliteration of racism, sexism, and homophobia that contribute to domestic violence. The HSCADV has sixteen member programs.

Iowa Coalition Against Domestic Violence

The *Iowa Coalition Against Domestic Violence* ("ICADV") is a non-profit organization, incorporated in the state of Iowa in 1985. ICADV provides educational and technical assistance to the domestic violence programs across Iowa, and acts on a statewide level to promote public policy and legislative issues on behalf of battered women and their children. ICADV's purpose is to eliminate personal and institutional violence against women through support to programs providing safety and services to battered women and their children. ICADV recognizes that unequal power contributes to violence against women. Therefore, ICADV advocates social change, legal and judicial reform, education, and the end to all oppression.

Michigan Coalition Against Domestic and Sexual Violence

The Michigan Coalition Against Domestic and Sexual Violence ("MCADSV") is a statewide membership organization incorporated in 1978. The members represent a network of service providers of comprehensive services to survivors of domestic and sexual violence and allied organizations and individuals. The MCADSV aims to ensure that quality services are provided to victims of sexual and domestic violence. MCADSV advocates for the prevention of domestic and sexual violence through education, acting as an information clearinghouse, and providing technical assistance, training and public policy advocacy.

New Hampshire Coalition Against Domestic and Sexual Violence

The *New Hampshire Coalition Against Domestic and Sexual Violence* ("NHCADSV") is a not-for-profit organization incorporated in the State of New Hampshire for the purpose of coordinating services and advocacy on behalf of the victims of domestic and sexual violence and their minor children. NHCADSV is an organization of domestic violence and sexual assault programs. For over twenty years, NHCADSV has provided training and technical assistance to domestic violence programs, the bar, the courts and law enforcement agencies on issues of domestic violence and sexual assault.

New Jersey Coalition for Battered Women

The *New Jersey Coalition for Battered Women* ("NJCBW") is a statewide coalition of domestic violence service programs and concerned individuals whose purpose and mission is to end violence in the lives of women. Incorporated in 1979, NJCBW is a private, non-profit corporation whose members include twenty-three domestic violence programs in New Jersey. NJCBW advocates for

battered women with state level governmental and private agencies, the state legislature, judiciary and governor to support legislation and policies that will increase the safety and options of victims of domestic violence. It also provides information, resources, technical assistance and training to domestic violence programs, the public and those agencies, organizations and individuals involved with New Jersey's response to domestic violence.

NJCBW believes that Congress acted within the scope of its Commerce Clause authority when it created a private right of action for victims of gender-motivated violence, based on extensively documented findings that discriminatory violence creates significant barriers to participation by women in interstate commerce. NJCBW also believes the enactment of the civil rights remedy was a permissible exercise of Congress' authority of Congress under U.S. Const. Amend. XIV, 5.

New York State Coalition Against Domestic Violence

The *New York State Coalition Against Domestic Violence* ("NYSCADV") is a non-profit membership organization. NYSCADV members include shelters, safe home projects, advocacy programs, and counseling projects, as well as concerned individuals who share the goal and philosophy of providing services to battered women and their children and eradicating family violence through advocacy, education, public awareness and program development. Since its inception in 1981, the NYSCADV has been the driving force behind the development of hundreds of programs providing services to abused women and their children.

North Dakota Council on Abused Women's Services

The *North Dakota Council on Abused Women's Services* ("NDCAWS") is a non-profit corporation incorporated in North Dakota in 1980. NDCAWS is a network of twenty community based domestic violence centers. Its mission is to support the provision of high quality services to victims through training, technical assistance, public policy discussions and public education campaigns.

Pennsylvania Coalition Against Domestic Violence

The Pennsylvania Coalition Against Domestic Violence, Inc. ("PCADV") is a not-for-profit organization incorporated in the Commonwealth of Pennsylvania for the purpose of providing services and advocacy on behalf of victims of domestic violence and their minor children. PCADV is a membership organization of sixty-four shelters, hotlines, counseling programs, safe home networks, legal advocacy projects, and transitional housing projects for battered women and their dependent children in the Commonwealth. For over twenty years, PCADV has provided training and technical assistance to domestic violence programs, attorneys, the courts, and law enforcement agencies on issues of domestic violence.

PCADV joins the brief of amicus curiae to assist the Supreme Court in its consideration of the critical issue of battered women's access to economic restoration through legal remedies.

Rhode Island Coalition Against Domestic Violence

The *Rhode Island Coalition Against Domestic Violence* ("RICADV") is a non-profit organization, incorporated in the state of Rhode Island and Providence Plantations in 1979 to assist and support Rhode Island's six shelter programs for victims of domestic abuse. RICADV has taken the lead in policy and program development on behalf of battered women for nearly twenty years. RICADV is active in implementing the provisions of the Violence Against Women Act in Rhode Island, and in national

advocacy activities relating to the law. RICADV serves as a resource for its six member agencies, providing training, technical assistance, statewide planning and needs assessment research, and dissemination of resources.

Vermont Network Against Domestic Violence and Sexual Assault

The *Vermont Network Against Domestic Violence and Sexual Assault* ("VNADVSA") is a not-for-profit organization incorporated in Vermont in 1986. VNADVSA is a network of Vermont domestic and sexual violence programs, providing services, advocacy and support to victims of domestic and sexual violence.

Virginians Against Domestic Violence

Virginians Against Domestic Violence ("VADV") is a not-for-profit organization incorporated in the Commonwealth of Virginia in 1981. VADV is a network of local domestic violence programs, other interested organizations, and individuals committed to ending domestic violence. VADV works to provide support and training to local domestic violence programs and allied professionals, monitor and guide the development of public policy, and educate the general public about domestic violence and its effects. VADV's mission is to work toward the elimination of domestic violence in the Commonwealth.